

LaBelle residents file federal lawsuit over coal waste dump



By [Scott Beveridge](#)

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Residents of a Fayette County village have filed a federal class-action lawsuit against FirstEnergy Corp. and others claiming they are being subjected to dangerous chemicals from fugitive dust that leaves a large coal waste dump along the Monongahela River.

The plaintiffs filed the lawsuit on Friday, April 14, 2017, in federal court in Washington, D.C. The lawsuit seeks health monitoring from the corporation, as well as NRG Energy Inc. and Matt Canestrale Contraction Inc. of Belle Vernon, the court record indicates.

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“I think the people that live there in LaBelle are being completely ignored and have been poisoned for some time, and it’s not going to stop,” said their attorney, Louise R. Caro of Philadelphia. “That dust is not contained, and with the weather, wind, LaBelle is always getting inundated with this dust.”

The lawsuit claims the residents have been subjected to dust from the 506.7-acre site that includes lead, arsenic, cadmium and chromium. The site dates to 1903, when it was owned by Vesta Coal Co., a subsidiary of Jones & Laughlin Steel Corp. It quickly became the largest coal-preparation processing site in the world, the lawsuit states.

The owners of the site went bankrupt in the 1990s before Canestrone entered into a contract in 1995 to purchase the processing company’s assets. Canestrone also entered into a consent agreement with the state Department of Environmental Protection in 1997 that outlined its duties to reclaim and close the site, the lawsuit contends.

Canestrone reclaimed the site with coal ash generated at power plants operated by First Energy of Akron, Ohio, and NRG Energy of Princeton, N.J., Caro stated in the lawsuit.

“The pile covers a large hill that looms high over the town of LaBelle, Pennsylvania,” she stated in the records.

“The coal ash is sent by open, uncovered barge to the prep site and then by open, uncovered truck up to the refuse site.”

Caro said such an operation should not have been conducted so close to homes.

FirstEnergy spokeswoman Stephanie Walton said Pennsylvania promotes the use of coal ash to close and reclaim legacy mine property, and that thousands of acres of land have been successfully reclaimed with the material across the state.

“No material from FirstEnergy power plants is currently being beneficially used at LaBelle,” Walton said.

She said FirstEnergy is reviewing the lawsuit.

Material from the Mitchell Power Plant in Union Township and Hatfield’s Ferry Power Station in Greene County were used in LaBelle.

The plaintiffs are identified in the lawsuit as Holly Rice and children, Rudolf and Yma Smith, Gary J. and Kimberly Kuklish, George and Ursula Markish and Darrel and Gina Redman. **Stay informed- sign up for the Observer-Reporter Daily Newsletter.**

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They are seeking more than \$5 million in damages.